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Attorney Docket No. 038060474

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Eric BACQUE et al.) Group Art Unit: 1614
)
Application No.: 10/055,888) Examiner: Not yet assigned
)
Filed: January 28, 2002)
)
For: STREPTOGRAMIN)
DERIVATIVES, THEIR)
PREPARATION AND)
COMPOSITIONS CONTAINING)
THEM)

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Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, thus, no fee is required.

A copy of each of the listed documents is attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Some of the listed documents are from three copending U.S. patent applications.

The copending applications are as follows:

1. 09/609,717 - Filed in the U.S. on June 30, 2000 (Daniel ACHARD et al.)

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2. **09/627,791** - Filed in the U.S. on July 27, 2000 (Eric BACQUE et al.)

3. **09/643,197** - Filed in the U.S. on August 22, 2000 (Pascal DESMAZEAU et al.)

Additionally, Applicants have enclosed a copy of the corresponding international application's International Search Report for the Examiner's consideration.

With respect to the non-English-language documents, Applicants submit the following remarks:

WO 96/04299: An English-language abstract of the disclosure of this document is provided on the cover page of the International Publication, and a copy of U.S. Patent No. 5,786,449, which Applicants believe is a counterpart application, is enclosed herewith.

WO 96/01901: An English-language abstract of the disclosure of this document is provided on the cover page of the International Publication, and a copy of U.S. Patent No. 6,352,839, which Applicants believe is a counterpart application, is enclosed herewith.

WO 96/04298: An English-language abstract of the disclosure of this document is provided herewith.

WO 96/33213: An English-language abstract of the disclosure of this document is provided on the cover page of the International Publication, and a copy of U.S. Patent No. 5,789,537, which Applicants believe is a counterpart application, is enclosed herewith.

FR 2,775,288: An English-language abstract of the disclosure of this document is provided herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

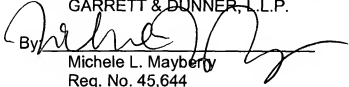
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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Dated: May 30, 2002

By 
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Atty. Docket No.	03806.0474506	Appln. No.	10/055,888
Applicant	Eric BACQUE et al.		
Filing Date	January 28, 2002	Group:	1614

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	1	US 5,786,449	July 28, 1998	Barriere et al.			
	2	US 6,352,839	March 5, 2002	Blanc et al.			
	3	US 5,789,537	August 4, 1998	Barriere et al.			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	4	WO 96/04299	February 15, 1996	PCT			No
	5	WO 96/01901	January 25, 1996	PCT			No
	6	WO 96/04298	February 15, 1996	PCT			Abstract
	7	WO 96/33213	October 24, 1996	PCT			No
	8	FR 2,775,288	August 27, 1999	France			Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	9	09/609,717 – Copy of as-filed U.S. application filed, June 30, 2000 (Daniel ACHARD et al.) (121 pages, including 15 claims); Preliminary Amendment filed January 26, 2001, which cancels claims 1-15 and adds claims 16-47; Amendment filed November 7, 2001, which amends claims 16, 40 and 45; and Amendment filed March 7, 2002, which amends claim 16.
	10	09/627,791 – Copy of as-filed U.S. application, filed July 27, 2000 (Eric BACQUE et al.) (201 pages, including abstract and 26 claims); Amendment filed November 30, 2001, which amends claims 1, 2, 3, 9, 10, 14, 16, 20, 22, 23, and 25.
	11	09/643,197 – Copy of as-filed U.S. application, filed August 22, 2000 (Pascal DESMAZEAU et al.) (285 pages, including abstract and 17 claims); Preliminary Amendment filed June 21, 2001, cancels claims 1-17 and adds claims 18-34; Amendment filed March 11, 2002, which amends claims 18 and 31.

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce